## JUDGMENT OF CONVICTION - PLEA OF GUILTY BEFORE THE COURT SENTENCED TO INSTITUTIONAL DIVISION



(JSD101)

stated above.

THE STATE OF TEXAS NO.2002CR7042

IN THE 379TH DISTRICT COURT

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OF

DAVID CEBALLOS	BEXAR COUNTY, TEXAS
JUDGE PRESIDING: JUDGE BERT RICHARDSON	DATE OF JUDGMENT: JUN - 7 2004
APPEARANCES FOR STATE: JAMISSA LYNNE JARMON OFFENSE CONVICTED OF: AGG SEXUAL ASSAULT-CHILD	APPEARANCES FOR DEFENDANT: EDUARDO J GARCIA
22.021(A)(1)(B)PC	DATE OF CONVICTION: 06-07-2004
DEGREE OF OFFENSE: 1ST	DATE OFFENSE COMMITTED: 06-24-2002
CHARGING INSTRUMENT: INDICTMENT	
PLEA TO COURT: GUILTY TERMS OF PLEA AGREEMENT: CAP OF TWELVE (12)	VERDICT OF COURT: GUILTY
TERMS OF FLEA AGREEMENT: GAP OF TWELVE (12)	12AR3 (D00-1D
PLEA TO ENHANCEMENT: N/A	FINDING ON ENHANCEMENT: N/A
FINDING ON SPECIAL ISSUE(S): DEADLY WEAPON FINDING	
DATE SENTENCE IMPOSED:06-07-2004	DATE TO COMMENCE: 06-07-2004
SENTENCE OF IMPRISONMENT (INSTITUTIONAL DIVISION):	
10 YRS TDCJ-ID AND A FINE OF \$ 1,000.00	
CONCURRENT UNLESS OTHERWISE SPECIFIED:	
TIME CREDITED: 3 DAYS	COSTS: \$ 543.00
TOTAL AMOUNT OF	RESTITUTION TO BE PAID TO:
RESTITUTION/REPARATION: \$ 0.00	NAME:
	ADDRESS:
On the <b>28TH OF April</b> , 2004	the above numbered and entitled cause
was reached and called for trial, and the Stat	
the Defendant and the Defendant's attorney w announced ready for trial, and the Defendant	
attorney agreed in open court and in writing t	
and to submit it to the Court. The Court cons	
Defendant further waived the reading of the inc	dictment and, upon being asked by the Court
as to how the Defendant pleaded, entered AGG SEXUAL ASSAULT-CHILD	a plea of <b>GUILTY</b> to
Thereupon, the Defendant was admonished by the	Court of the consequences of said plea and.
it appearing to the Court that the Defendant w	
Defendant was not influenced in making said pl	ea by any consideration of fear or by any
persuasion prompting a confession of guilt, th	e free and voluntary plea of GUILTY

was received by the Court and is now entered of record in the minutes of the Court as the plea of the Defendant. The Court, having heard all evidence from the State and Defendant, and having heard argument of counsel for both parties, found that there was sufficient evidence to support the Defendant's plea and found the Defendant guilty of the offense

NO. 2002CR7042

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the defendant is guilty of the offense stated above, and, the Court having reviewed the presentence investigation report, the punishment is fixed as determined by the Court, and the State of Texas do have and recover of said defendant all court costs in this prosecution expended for which execution will issue.

And thereupon on the 7TH OF June, 2004 \_ the Court asked the Defendant whether the Defendant had anything to say why said sentence should not be pronounced upon said Defendant, and the Defendant answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant and the Defendant's attorney, to pronounce sentence upon said Defendant as follows:

It is ORDERED by the Court that the Defendant, who has been adjudged guilty of the offense stated above, be and is hereby sentenced to the punishment stated above. Defendant shall be taken by the authorized agent of the State of Texas or by the Sheriff of Bexar County, Texas, and by him safely delivered to the Director of the Institutional Division of the Texas Department of Criminal Justice, there to be imprisoned in the manner and for the period aforesaid. The defendant is hereby remanded to the custody of the Sheriff, until such time as the Sheriff can obey the directions of this sentence.

The Court finds that as of the date of sentencing, the defendant has been in custody on this charge for a period of 3 DYS

The Court thereupon fully advised the defendant as to the law regarding the filing of Motions for New Trial, Motions in Arrest of Judgment, and Notice of Appeal.

INDS AFFIRMATIVELY THAT THE DEFENDANT USED OR EXHIBITED A DEADLY WEAPON AS DEFINED IN SEC A) PENAL CODE, DURING THE COMMISSION OF THE OFFENSE AS CHARGED IN THE INDICTMENT. ARTICLE SG (A) (2), C.C.P.

SIGNED and ENTERED of Record this

day of

ADVISED Notice of Appeal:

Pat Priest, Sr. District Judge By Assignment

JUDGE

BERT RICHARDSON 379TH DISTRICT COURT BEXAR COUNTY, TEXAS

ding.

(JSD102)